

REMARKS

Claims 1-8, 13, 14, 16-23, 28-32 and 35-42 have been examined and have been rejected under 35 U.S.C. § 103(a). In particular, claims 1-7, 16-22, 30-32 and 37-40 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,669,040 to Hisatake in view of U.S. Patent No. 7,184,171 to Hara, claims 1-6, 8, 13, 14, 16-21, 23, 28-32, 35 and 36 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,377,359 to Higashio in view of Hara, claim 41 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hisatake, Hara and U.S. Patent No. 5,587,799 to Kawamura and claim 42 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hisatake, Hara and U.S. Patent No. 5,335,097 to Murakami.

Applicant submits, however, that the Hara reference, which is cited in all prior art rejections above, does not constitute prior art to the present Application. For example, the current Application is a divisional application of Application No. 09/529,665, now U.S. Patent No. 7,113,306, filed on April 18, 2000, which in turn is a National Stage Entry application of PCT/JP99/04428, filed on August 18, 1999.

Since the present Application is entitled to at least the above filing dates, and Hara was not filed until June 4, 2002 and its foreign priority application JP 2001-172736 was not filed until June 7, 2001, both of which are after the filing date of Application No. 09/529,665, Applicant submits that Hara is not prior art. Accordingly, Applicant respectfully requests the Examiner to withdraw the current rejection of all claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

RESPONSE UNDER 37 C.F.R. § 1.116
Application No.: 10/811,881

Attorney Docket No.: Q80735

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

/Kelly G. Hyndman 39,234/
Kelly G. Hyndman
Registration No. 39,234

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 11, 2007